

## **REMARKS/ARGUMENTS**

### **1. Summary of the Office Action**

The terminal disclaimer filed on April 23, 2003, disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,169,911 has been reviewed and is NOT accepted.

The application/patent being disclaimed has been improperly identified since the number used to identify the patent being disclaimed is incorrect.

The double patenting rejections made in the previous office actions dated November 7, 2001, and January 2, 2003 remain for claims 35-49 and 53-58 until a proper terminal disclaimer is filed.

### **2. Response to Double Patenting**

A corrected terminal disclaimer is being submitted herewith. The double patenting rejection has therefore been overcome.

### **3. Conclusion**

Having submitted the corrected terminal disclaimer and since there were no further rejections to the claims at this time, Applicants respectfully submit that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional fees due in connection with this communication, please charge our deposit account no. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Elena Dreszer at (408) 947-8200 ext. 209.

Respectfully submitted,

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